

EXHIBIT B

B 10 Modified (Official Form 10) (12/11)

UNITED STATES BANKRUPTCY COURT FOR THE SOUTHERN DISTRICT OF NEW YORK		PROOF OF CLAIM
Name of Debtor and Case Number: GMAC Mortgage, LLC, Case No. 12-12032		
NOTE: This form should not be used to make a claim for an administrative expense (other than a claim asserted under 11 U.S.C. § 503(b)(9)) arising after the commencement of the case. A "request" for payment of an administrative expense (other than a claim asserted under 11 U.S.C. § 503(b)(9)) may be filed pursuant to 11 U.S.C. § 503.		
Name of Creditor (the person or other entity to whom the debtor owes money or property): Mary Critchley		<input type="checkbox"/> Check this box if this claim amends a previously filed claim.
Name and address where notices should be sent: Mayer Morganroth, Esq. 344 North Old Woodward Ave., Suite 200 Birmingham, MI 48009		Court Claim Number: _____ (If known) Filed on: _____
Telephone number: 248/864-4000 email: mmorganroth@morganrothlaw.com		<input type="checkbox"/> Check this box if you are aware that anyone else has filed a proof of claim relating to this claim. Attach copy of statement giving particulars.
Name and address where payment should be sent (if different from above): Telephone number: _____ email: _____		5. Amount of Claim Entitled to Priority under 11 U.S.C. §507(a). If any part of the claim falls into one of the following categories, check the box specifying the priority and state the amount.
1. Amount of Claim as of Date Case Filed: <u>970,917.00</u> If all or part of the claim is secured, complete item 4. If all or part of the claim is entitled to priority, complete item 5. <input type="checkbox"/> Check this box if the claim includes interest or other charges in addition to the principal amount of the claim. Attach a statement that itemizes interest or charges.		<input type="checkbox"/> Domestic support obligations under 11 U.S.C. §507(a)(1)(A) or (a)(1)(B). <input type="checkbox"/> Wages, salaries, or commissions (up to \$11,725*) earned within 180 days before the case was filed or the debtor's business ceased, whichever is earlier - 11 U.S.C. §507(a)(4). <input type="checkbox"/> Contributions to an employee benefit plan - 11 U.S.C. §507(a)(5). <input type="checkbox"/> Up to \$2,600* of deposits toward purchase, lease, or rental of property or services for personal, family, or household use - 11 U.S.C. §507(a)(7). <input type="checkbox"/> Taxes or penalties owed to governmental units - 11 U.S.C. §507(a)(8). <input type="checkbox"/> Other - Specify applicable paragraph of 11 U.S.C. §507(a)().
2. Basis for Claim: Wrongful foreclosure, loss of income, rent paid during period deprived of home, mental suffering, credit damage (See instruction #2)		Amount entitled to priority: \$ _____
3. Last four digits of any number by which creditor identifies debtor: <u>5951</u>	3a. Debtor may have scheduled account as: _____ (See instruction #3a)	3b. Uniform Claim Identifier (optional): _____ (See instruction #3b)
4. Secured Claim (See instruction #4) Check the appropriate box if the claim is secured by a lien on property or a right of setoff, attach required redacted documents, and provide the requested information. Nature of property or right of setoff: <input type="checkbox"/> Real Estate <input type="checkbox"/> Motor Vehicle <input type="checkbox"/> Other Describe: _____ Value of Property: \$ _____ Annual Interest Rate: _____ % <input type="checkbox"/> Fixed <input type="checkbox"/> Variable (when case was filed) Amount of arrearage and other charges, as of the time case was filed, included in secured claim, if any: \$ _____ Basis for perfection: _____ Amount of Secured Claim: \$ _____ Amount Unsecured: <u>970,917.00</u>		
6. Claim Pursuant to 11 U.S.C. § 503(b)(9): Indicate the amount of your claim arising from the value of any goods received by the Debtor within 20 days before May 14, 2012, the date of commencement of the above case, in which the goods have been sold to the Debtor in the ordinary course of such Debtor's business. Attach documentation supporting such claim. \$ _____ (See instruction #6)		
7. Credits. The amount of all payments on this claim has been credited for the purpose of making this proof of claim. (See instruction #7)		
8. Documents: Attached are redacted copies of any documents that support the claim, such as promissory notes, purchase orders, invoices, itemized statements of running accounts, contracts, judgments, mortgages, and security agreements. If the claim is secured, box 4 has been completed, and redacted copies of documents providing evidence of perfection of a security interest are attached. (See instruction #8, and the definition of "redacted".) DO NOT SEND ORIGINAL DOCUMENTS. ATTACHED DOCUMENTS MAY BE DESTROYED AFTER SCANNING. If the documents are not available, please explain: _____		
9. Signature: (See instruction #9) Check the appropriate box. <input checked="" type="checkbox"/> I am the creditor. <input type="checkbox"/> I am the creditor's authorized agent. <input type="checkbox"/> I am the trustee, or the debtor, or their authorized agent. <input type="checkbox"/> I am a guarantor, surety, indorser, or other codebtor. (Attach copy of power of attorney, if any.) (See Bankruptcy Rule 3004.) (See Bankruptcy Rule 3005.) I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief. Print Name: <u>Mary Critchley</u> Title: <u>Creditor</u> Company: _____ Address and telephone number (if different from notice address above): <u>c/o Mayer Morganroth (address above)</u> <u>c/o Mayer Morganroth (address above)</u> Telephone number: _____ Email: _____		

Penalty for presenting fraudulent claim: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C.

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SUMMARY OF SUPPORTING DOCUMENTS

1. Mortgage and Deed
2. 12/17/09 payment increase letter
3. 1/6/10 a financial analysis package from Mary Critchley regarding increase payment request to debtor at lender's request to modify the mortgage for Mary Critchley
4. Communication to Mary Critchley to stop payments and mortgage will be modified as requested
5. Documents sent for mortgage modification as requested
6. Letters from GMAC stating mortgage modification is proceeding
7. Extension documents
8. Foreclosure sale notices of 6/15/10
9. Foreclosure sale was rescinded August 2011, but Mary Critchley not informed
10. Documents of Mary Critchley moving and finding new residence and renting same
11. Credit documents of Mary Critchley stating her home had been foreclosed
12. Letters from GMAC that Mary Critchley needs to place homeowners insurance on property
13. 12/26/10 notice that GMAC had placed insurance on property (which showed as foreclosed) and premium bill
14. 12/28/10 cancellation notice stating loan paid in full
15. Tax bills 12/30/10 still showing Mary Critchley owner
16. 1/30/11 1099A for abandonment of property
17. Judgment of Possession received in U.S. Bank v Mary Critchley
18. 5/16/11 Request Mary Critchley place hazard insurance on property
19. 3/30/11 Shows property placed on market
20. 5/13/11 Notice withdrawn from market
21. 6/17/11 GMAC notice that they understand property vacant
22. 6/25/11 Property vacant will get insurance from GMAC
23. 6/30/11 GMAC putting insurance on property unless Mary Critchley calls them
24. 7/1/11 taxes still in her name on new tax bill despite foreclosure
25. Record of 5th call to GMAC who now states house never effectively sold at Sheriff's sale
26. 7/30/11 notice that GMAC was placing insurance on property and billing her for \$6,444.00
27. Public records: RASC 2006K51 owns property
28. 8/20/11 Sheriff sale expunged, public record no notice received
29. Demand for payment or foreclosure 11/18/11
30. Record of calls for payment request and Mary Critchley response of Sheriff's sale dispute agreement to modify loan
31. 12/9/11 notes on calls from GMAC auto dialer, 3-5 times a day for payment and requesting Mary Critchley give them info on Sheriff's sale
32. Original notice in 10/2010 demanding Mary Critchley change the locks
33. Record of rent paid by Mary Critchley since being moved out of the house pursuant to the bogus foreclosure
34. Documents regarding refusal to receive credit due to two (2) foreclosures
35. Documents of a 2nd foreclosure on the property

36. Documents of loss of income suffered by Mary Critchley as a result of GMAC's misconduct
37. Documents regarding costs incurred by virtue of wrongful foreclosure
38. Documents identifying pain and suffering since 12/17/09 due to loss of home, illness, hospitalization causing health problems, wrongful dislocation of Mary Critchley and her mother
39. Credit damage documents identifying increases in costs for all insurances and incapability of obtaining credit
40. Correspondence from GMAC promising modification
41. Correspondence from Mary Critchley relying on promises of GMAC and complying with requests